

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

OPTUM, INC. and  
OPTUM SERVICES, INC.,

*Plaintiffs,*

v.

Civil Action No. 19-cv-10101

DAVID WILLIAM SMITH,

*Defendant.*

**DEFENDANT DAVID SMITH'S REQUEST FOR A POTENTIAL WITNESS TO BE  
EXCUSED FROM THE JANUARY 30, 2019 HEARING**

Pursuant to this Court's Order (ECF No. 36), Defendant David Smith requests that potential witness Jack Stoddard be excused from the January 30, 2019 hearing. Mr. Stoddard does not live in Boston and is unavailable for the hearing.

Respectfully submitted,

**DAVID WILLIAM SMITH**

By his attorneys,

/s/ John F. Welsh

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Dated: January 29, 2019

**CERTIFICATE OF SERVICE**

I hereby certify that on January 29, 2019, the undersigned filed a copy of the above and foregoing via the Court's CM/ECF system, which will send notification of such filing to all registered participants.

/s/ John F. Welsh

John F. Welsh